

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

23 – 2, 19  
jhel

In re: : Bankruptcy Case No.: 16–20054–CMB  
: :  
: Chapter: 13  
: Issued per the July 28, 2016 Proceeding

**Philip A. Smarestsky**  
Debtor(s)

**ORDER OF COURT CONFIRMING PLAN  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that the Plan dated January 6, 2016 is CONFIRMED. A copy of this plan was previously mailed to you.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Debtor(s)'s counsel (or Debtor(s) if not represented by counsel) must review all proofs of claim within thirty (30) days after the claims bar date. All objections to pre-petition claims shall be filed within ninety (90) days after the claims bar date, thereafter allowing at least thirty (30) days for a response.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

**(3.) IT IS FURTHER ORDERED THAT:**

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

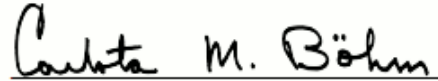
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: August 4, 2016

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 3 of 4**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Philip A. Smaretsky  
 Debtor

Case No. 16-20054-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 235

Page 1 of 2  
 Total Noticed: 24

Date Rcvd: Aug 04, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 06, 2016.

db +Philip A. Smaretsky, 124 Whitestown Road, Lyndora, PA 16045-1158  
 cr +Foundation Finance Company, 2001 Western Ave Suite 400, Seattle, 98121-3132  
 14160526 Angela M. Crawford, 147 Crawford Road, Chicora, PA 16025  
 14160527 +Armstrong, 437 North Main St., Butler, PA 16001-4358  
 14160529 +Cenlar, P.O. Box 77404, Trenton, NJ 08628-6404  
 14160530 +Citi American Airlines Advantage Visa, Citi, P.O. Box 6286, Sioux Falls, SD 57117-6286  
 14160531 Department of Defense Accounting Service, US Dept. Treas Attn: AWG Analyst, PO B0x 830794, Birmingham, AL 35283-0794  
 14204526 ECAST SETTLEMENT CORPORATION, PO BOX 29262, NEW YORK, NY 10087-9262  
 14160532 ++FOUNDATION FINANCE COMPANY, 7802 MEADOW ROCK DRIVE, WESTON WI 54476-5262  
 (address filed with court: Foundation Finance Company, P.O. Box 437, Schofield, WI 54476)  
 14235031 +Lakeview Loan Servicing, LLC, Cenlar FSB, 425 Phillips BLVD, Ewing, NJ 08618-1430  
 14160534 Navy Federal Credit Union, PO Box 3002, Merrifield, VA 22119-9887  
 14160536 +Pennsylvania American Water Co., PO Box 371412, Pittsburgh, PA 15250-7412  
 14160537 +Peoples Gas Bankruptcy Dept., Attn. Dawn Linder, 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212-5866  
 14160538 Peoples TWP, PO Box 747105, Pittsburgh, PA 15274-7105  
 14160539 Slate from Chase Visa, P.O. Box 15123, Wilmington, DE 19850-5123  
 14160541 Vogel Disposal Service, Inc., P.O. Box 857, Mars, PA 16046-0857

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14160528 +E-mail/Text: jschon@basapa.org Aug 05 2016 00:52:04 Butler Area Sewer Authority, 100 Litman Road, Butler, PA 16001-3294  
 14233120 +E-mail/Text: bncmail@w-legal.com Aug 05 2016 00:52:36 Foundation Finance Company, C/O Weinstein & Riley, P.S., 2001 Western Ave., Suite #400, Seattle, WA 98121-3132  
 14160533 E-mail/Text: cio.bncmail@irs.gov Aug 05 2016 00:52:11 Internal Revenue Service, Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346  
 14160535 E-mail/Text: ext\_ebn\_inbox@navyfederal.org Aug 05 2016 00:52:56 Navy Federal Credit Union, PO Box 3000, Merrifield, VA 22119-3000  
 14172690 +E-mail/Text: csc.bankruptcy@amwater.com Aug 05 2016 00:52:52 Pennsylvania American Water, P.O. Box 578, Alton, IL 62002-0578  
 14160540 E-mail/Text: bnc@ursi.com Aug 05 2016 00:52:06 United Recovery Services, Inc., P.O. Box 722929, Houston, TX 77272-2929  
 14160542 E-mail/Text: bankruptcy@firstenergycorp.com Aug 05 2016 00:52:34 West Penn Power, P. O. Box 3615, Akron, OH 44309-3615  
 14191165 +E-mail/Text: bankruptcy@firstenergycorp.com Aug 05 2016 00:52:34 West Penn Power, 5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Lakeview Loan Servicing, LLC

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 06, 2016

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 4, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Lakeview Loan Servicing, LLC agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com  
 Dai Rosenblum on behalf of Debtor Philip A. Smaretsky dunmyrem@zoominternet.net, dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmp124@yahoo.com

District/off: 0315-2

User: jhel  
Form ID: 235

Page 2 of 2  
Total Noticed: 24

Date Rcvd: Aug 04, 2016

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system (continued)

Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 4